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### MISCELLANY.

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**Treaty Rights in the Panama Canal.**—So long ago as 1850 Great Britain and the United States stipulated in the Clayton-Bulwer Treaty for the free navigation and the neutralisation of a canal between the Pacific and the Atlantic Oceans. Some thirty years later the Panama Canal Company began the building of a canal through the Isthmus, but in 1888 the works were stopped through the financial collapse of the undertaking. The United States Government then purchased the half-executed canal, and eventually, after the Senate had refused to ratify one treaty with Great Britain, the Hay-Pauncefote Treaty was ratified in 1901 and adopted, as the basis of the neutralisation of the ship Canal, the rules embodied in the Constantinople Convention of 1888 for the free navigation of the Suez Canal. It is about the interpretation of this treaty that questions have now arisen between the two Governments owing to the proposals in the American Bill relating to the commerce of the Canal to exempt from the tolls to be charged on vessels using it steamers of American lines which in cases of emergency offer to place their fleets at the disposal of the Government. Article 3 of the Treaty provides explicitly: "The Canal shall be free and open to vessels of commerce and war of all nations observing these rules on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic or otherwise. Such conditions and charges of traffic shall be just and equitable." It would appear to be a clear evasion of this stipulation for the United States to give a preference to their own vessels in the form of a release from the tolls, and Great Britain, in virtue of her special treaty about the Canal, and also as the premier maritime nation, has naturally entered a protest. The United States Government, as the proprietor of the Canal, and as the territorial sovereign of the strip through which it is constructed, has the exclusive right of providing for the regulation and management of the Canal, but she can only exercise her powers subject to the terms of her treaty arrangements. If the two countries should fail to agree on the proper interpretation of the clause, the matter is admirably fitted for settlement by the Hague Tribunal for it is purely a question of law.—*London Law Times.*